

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JAMES B. VANDEVENDER,

Plaintiff,

v.

CSX TRANSPORTATION, INC.,

Defendant.

No. 09-0467-DRH

ORDER

HERNDON, Chief Judge:

On September 28, 2010, the parties filed a stipulation for dismissal without prejudice (Doc. 34). Based on the stipulation, the Court **DISMISSES without prejudice** this matter with each party to pay its own costs. The Court will close the file.

IT IS SO ORDERED.

Signed this 29th day of September, 2010.

/s/ David B. Herndon

**Chief Judge
United States District Court**